

ARNOLD & PORTER



October 17, 2002

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RECEIVED

OCT 18 2002

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Attn: Box Non-Fee Amendment

Re: U.S. Patent Application No. 09/300,482
Filed: April 28, 1999

Title: **Nucleic Acid Molecules and Other Molecules Associated with the Phosphogluconate Pathway**

Inventors: Nordine CHEIKH *et al.*

Atty. Docket: 16517.216

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. Amendment and Response; and
2. Return postcard.

Please stamp the postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.216. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Holly Logue Prutz".

Holly Logue Prutz (Reg. No. 47,755)
David R. Marsh (Reg. No. 41,408)

Attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nordine CHEIKH *et al.*

Appln. No.: 09/300,482

Filed: April 28, 1999

For: Nucleic Acid Molecules and Other
Molecules Associated with the
Phosphogluconate Pathway

Art Unit: 1631

Examiner: Marjorie A. MORAN

Atty. Docket: 16517.216

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#21/B
Plunkett
10/22/02

AMENDMENT AND RESPONSE

Commissioner for Patents
Washington, DC 20231

Attn: Box Non-Fee Amendment

Sir:

In response to the Office Action mailed July 17, 2002 (Paper Number 20),
Applicants submit the following amendment and remarks:

IN THE CLAIMS

Please cancel claims 3-9 and 14 without prejudice to or disclaimer of the subject matter contained therein.

Please amend the claims as follows:

- Sub Cl* 1. (Twice Amended) A substantially purified nucleic acid molecule that encodes a maize or soybean phosphogluconate pathway enzyme, wherein said maize or soybean phosphogluconate pathway enzyme is selected from the group consisting of:
- glucose-6-phosphate-1-dehydrogenase;
 - D-ribulose-5-phosphate-3-epimerase;
 - ribose-5-phosphate isomerase;
- B1*